

REMARKS

Claim Rejections

Claims 34, 35, 38, 55-59 and 64-65 stand rejected as obvious over Pascal (WO 98/00210) in view of Okada (U.S. 4,508,345).

Claims 60-62 stand rejected as obvious over Pascal in view of Okada and further in view of Angell, Jr. (U.S. 6,368,218).

Claim 63 stands rejected as obvious over Pascal in view of Okada and Angell, Jr. and further in view of Giacalone, Jr. (U.S. 5,758,875).

Claim 66 stands rejected as obvious over Pascal in view of Okada and further in view of Lermusiaux (U.S. 6,135,885).

Claim Amendments

There are no claim amendments.

The Cited Art

Pascal is directed to a method of playing slot tournaments. The gaming machines used for tournament play are specifically configured machines that, upon issuance of a “start” command, allow the players to play as fast as they can without requiring that coins be put into the machines. The wins are accumulated, held and displayed by each machine. At the end of a fixed period of time, a “stop” command is given, and all the machines are disabled. The winner is the person having the highest accumulated score of win points obtained during the tournament period. (Page 1, lines 10-20).

Okada is directed to a slot machine having a bonus game. The reels of the slot machine rotate at a high speed in an original game and at a low speed in an immediately subsequent bonus game. The reels can be brought to a stop, individually, by means of stop switches associated with each of the reels. Therefore, in the bonus game, the player has an increased chance of winning. (Abstract).

Specifically, when a line of symbols of “SKILL.STOP” on the respective reels 3 to 5 occurs on a transverse line or a diagonal line, players are permitted to play the bonus game. In the bonus game, the reels are rotated at a low speed and without manipulation of the slot machine handle 2. Upon pushing the stop switches 9 to 11, in the bonus game, the reels are brought to a stop individually. As such, players can stop the reels upon observing the symbols, so as to try to

stop prize-winning symbols in the reel windows. The bonus game is a separate game from the original game, and it occurs subsequent to the original game. (Col. 2, lines 10-35; Col. 5, lines 4-22).

Applicants' Invention Would Not Have Been Obvious

Three criteria must be met to establish obviousness. First, the prior art must provide one of ordinary skill in the art with a suggestion or motivation to modify or combine the teachings of the references relied upon in rejecting claims. Second, the prior art must provide one of ordinary skill in the art with a reasonable expectation of success. Third, the prior art, either alone or in combination, must teach or suggest each and every limitation of the rejected claims. The teaching or suggestion to make the claimed invention, as well as the reasonable expectation of success, must come from the prior art and not from Applicants' disclosure. If any one of these criteria is not met, a case of obviousness is not established. Also, some articulated reasoning with rational underpinnings must be provided to support a *prima facie* case of obviousness.

Claim 34 specifies that a tournament game of chance is played at a first permitted rate of play and that this permitted rate of play of the tournament game may be changed to a second permitted rate of play in response to one occurrence of a game outcome of plurality of game outcomes that may result when the at least one game of chance is played matching a preselected game outcome from a plurality of game outcomes.

It was admitted in the Office Action that Pascal does not disclose this particular method. Further, it is respectfully submitted that the combination of Pascal and Okada does not disclose this method.

Initially, it is noted that Pascal neither teaches nor suggests that a permitted rate of play of a tournament game may be changed in response to one occurrence of a game outcome of a plurality of game outcomes. Rather, Pascal discloses that a player would play "full tilt" throughout the tournament. That is, a game controller allows "the players to play as fast as they can without requiring that coins be put into the machines." (Page 1, lines 15-16). This is done so that players can play as fast as they can to accumulate as many points as possible during tournament play. Thus, in this respect, Pascal clearly teaches away from Applicants' claimed invention, as it does not disclose playing a tournament game at different permitted rates in response to a preselected game outcome.

Moreover, in Okada, the rate of game play of an original or primary game is not changed in response to an occurrence of a game outcome when at least one game of chance is played matching a preselected game outcome from a plurality of possible game outcomes. Instead, a

subsequent or secondary game, the bonus game, is played at a slower rate than the primary game. The bonus game is a new game. It is played differently than the primary or original game. That is, the slot machine handle is not used to rotate the reels, and the reels are not randomly stopped by a game controller. Rather, the slower-rotating reels are stopped by a player using the stop switches. (Col. 5, lines 16-22). And like the primary game, the bonus game is not capable of being played at different permitted rates in response to a particular game outcome. The primary game and the bonus game are each played at only one speed. The permitted rate of play of either game is not varied in response to a preselected game outcome.

In contrast, in Applicants' claimed invention, the tournament game of chance, the only game, may be played at different permitted rates in response to a particular game outcome. As such, it is submitted that Applicants' claimed invention would not have been obvious in view of the cited references.

Conclusion

In view of the foregoing, it is respectfully submitted that all the claims are now in condition for allowance. Accordingly, allowance of the claims at the earliest possible date is requested.

If prosecution of this application can be assisted by telephone, the Examiner is requested to call Applicants' undersigned attorney at (510) 663-1100.

If any fees are due in connection with the filing of this amendment (including any fees due for an extension of time), such fees may be charged to Deposit Account No. 504480 (Order No. IGT1P482X1).

Dated: July 23, 2008

Respectfully submitted,
Weaver Austin Villeneuve & LLP

/William J. Egan, III/

William J. Egan, III
Reg. No. 28,411

P.O. Box 70250
Oakland, CA 94612-0250